

## ATTACHMENT H

# MCCUTCHEN

MCCUTCHEN, DOYLE, BROWN & ENERSEN, LLP

July 30, 1997

Direct: (213) 680-6412  
dmartin@mdbe.com

## VIA FEDERAL EXPRESS

Laurie Williams, Esq.  
U.S. Environmental Protection Agency  
Region IX  
Office of Regional Counsel  
75 Hawthorne Street  
San Francisco, CA 94105

Jorge Leon, Esq.  
State Water Resources Control Board  
Office of Chief Counsel  
901 P Street  
Sacramento, CA 95814

### Texaco Supplemental Information Submittal MTBE Contamination of the Charnock Well Field

Dear Ms. Williams and Mr. Leon:

This letter responds to Ms. Williams' July 18, 1997 telephone message to me as well as Ms. Williams' and my subsequent discussions pertaining to Texaco Inc.'s and Texaco Refining and Marketing Inc.'s (collectively, "Texaco") position regarding the former Texaco service station (the "National Boulevard Station") located at 11205 National Boulevard, Los Angeles California (the "Property"). As explained in detail in our July 2, 1997 letter (the "July Letter"), submitted on behalf of Texaco and KFH Land Company ("KFH" -- the current owner of the Property), the National Boulevard Station can not be a source of the methyl tertiary butyl ether ("MTBE") contamination of the Charnock Well Field (the "Well Field").

It is Texaco's understanding that the United States Environmental Protection Agency ("EPA") and the Los Angeles Regional Water Quality Control Board ("Regional Board") concur that no further work need be undertaken at the Property with respect to the Well Field investigation, and that neither Texaco nor KFH need respond to EPA's and the Regional Board's June 19, 1997 information and work plan submittal request letter (the "June Letter"). However, upon discovery of new information which materially effects the conclusions reached to date, EPA and the Regional Board reserve the right to request Texaco and/or KFH to respond to the June Letter within two weeks of notice of a request to respond.

#### ATTORNEYS AT LAW

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Laurie Williams, Esq.  
Jorge Leon, Esq.  
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Additionally, EPA and the Regional Board have requested that by August 1, 1997, or as soon thereafter as possible, Texaco submit additional information to supplement the July Letter. The additional information requested includes information on chromatographs for the National Boulevard Station, confirmations related to Texaco's records search and confirmations from the companies involved in the gasoline exchanges for the National Boulevard Station. This letter responds to that request.

### CHROMATOGRAPHS

In 1986, prior to Texaco's sale of the Property, Texaco retained W. W. Irwin to perform a preliminary soil vapor survey of the Property. CAA Bioremediation Systems assisted W. W. Irwin with the soil vapor survey. The results of the soil vapor survey are set forth in the report entitled *Soil Vapor Study at Texaco Service Station -- National Blvd/Sepulveda Blvd, Los Angeles California* (December 10, 1986) (the "Study"). Gas chromatographs were generated as part of the survey and copies of the chromatographs are included in the Study. Joseph Buckley, chief chemist of Texaco's Wilmington, California refinery, has reviewed the chromatographs included in the Study and has concluded that they provide no information regarding the presence of MTBE at the Property.

In late 1987 and early 1988, after Texaco's sale of the Property, Texaco removed the underground storage tanks at the Property and undertook remedial activities associated with the tank removal. Weck Laboratories Inc. ("Weck Laboratories") and Global GeoChemistry Corporation ("Global GeoChemistry") performed analytical tests on soil samples obtained by Texaco. Both Weck Laboratories and Global GeoChemistry have confirmed that the chromatographs associated with their analyses no longer exist as each company's records retention policy requires discard or destruction of records after seven (7) years.

Copies of information regarding the chromatographs for the Property are enclosed at Tab 1 and include the following: the Study,<sup>1</sup> the declaration of Joseph Buckley pertaining to the Study, and the letters from Weck Laboratories and Global GeoChemistry explaining their records retention policies.

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<sup>1</sup> It is our understanding that W. W. Irwin and CAA Bioremediation Systems no longer exist. We have been unable to locate the original chromatographs or larger scale copies of the chromatographs referenced in the Study.

Laurie Williams, Esq.  
Jorge Leon, Esq.  
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### **CONFIRMATION OF TEXACO'S RECORDS SEARCH**

As explained in detail in the July Letter, the National Boulevard Station can not be a source of the Well Field MTBE contamination because: (1) the National Boulevard Station ceased operation in 1987; (2) Texaco did not start adding MTBE to gasoline produced at its Wilmington, California refinery (the "Refinery") until August 1989 (the Refinery provided Texaco gasoline product for the National Boulevard Station); and (3) the companies with whom Texaco exchanged gasoline product for the National Boulevard Station also did not add MTBE to their gasoline until after the National Boulevard Station ceased operation. Documents confirming Texaco's position were attached to the July Letter. Pursuant to EPA's and Regional Board's request, enclosed at Tab 2 of this letter are declarations from both Texaco and McCutchen, Doyle, Brown & Enersen personnel involved in the records search for information on the start date of addition of MTBE to gasoline produced at the Refinery and the exchange information associated with the National Boulevard Station.

### **CONFIRMATION FROM OTHER COMPANIES INVOLVED WITH EXCHANGES FOR THE NATIONAL BOULEVARD STATION**

As explained in detail in the July Letter, in addition to gasoline produced by the Refinery, the National Boulevard Station also received gasoline via exchanges with four other refiners: Champlin Petroleum Company ("Champlin"), Powerine Oil Company ("Powerine"), Golden West Refining Company ("Golden West") and Mobil Oil Corporation ("Mobil"). None of these companies were adding MTBE to their gasoline at the time of the exchanges, and hence none of the exchanges could have been a potential source of the Well Field MTBE contamination. The exchange documentation was also attached to the July Letter.

EPA and the Regional Board have requested that each of the companies involved with exchanges at the National Boulevard Station provide confirmation of the date they first began adding MTBE to the gasoline they provided for sale in the Los Angeles Basin. The status of the receipt of each company's confirmation is set forth below.

**Champlin:** Champlin was the predecessor to Union Pacific Resources Company ("UPRC"). UPRC sold the assets of its Wilmington, California refinery to Ultramar in December 1988, and all Champlin and UPRC records related to gasoline production remained at the refinery after the sale. UPRC no longer employs personnel with personal knowledge regarding gasoline production at the refinery prior to the sale of the

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refinery to Ultramar. However, Stephen Mallon, a current Ultramar employee, was previously employed by Champlin and UPRC. Mr. Mallon has personal knowledge regarding MTBE usage at the refinery, and his written confirmation outlining his personal knowledge is enclosed at Tab 3.

Powerine: The declaration of June Christman, Manager of Environmental Engineering for Powerine's Santa Fe Springs refinery confirming that Powerine did not add MTBE to its gasoline until 1990 is enclosed at Tab 3.

Golden West: Golden West no longer employs personnel with personal knowledge regarding the start date for the addition of MTBE to gasoline produced by Golden West. Golden West is currently coordinating with its former employees and anticipates having written confirmation of its October 1992 commencement date within the next few weeks.

Mobil: In response to a May 1996 request from the Regional Board, by letter dated June 26, 1996, Mobil submitted detailed information regarding the company's addition of MTBE to its gasoline product. This information confirms that Mobil did not add MTBE to gasoline product produced at Mobil's Torrance refinery until November 1, 1992. Pursuant to Water Code Section 13268, Mobil could be guilty of a misdemeanor or assessed civil penalties for supplying false information in its June 26, 1996 submittal to the Regional Board. A copy of Mobil's June 26, 1996 submittal to the Regional Board is enclosed at Tab 3.

\* \* \* \* \*

The National Boulevard Station is the only station within the approximate one-mile radius of the Well Field that EPA and/or the Regional Board have identified as being related to either Texaco or KFH. It is our understanding that upon EPA's and the Regional Board's receipt of Golden West's written confirmation regarding the date it started adding MTBE to gasoline it sold in the Los Angeles Basin, that there will be no remaining outstanding issues with respect to the National Boulevard Station, and hence with Texaco's and KFH's involvement with the Well Field contamination. Accordingly, unless Texaco and

Laurie Williams, Esq.  
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KFH hear otherwise, it is our understanding that EPA and the Regional Board no longer consider Texaco or KFH as potential sources of the Well Field MTBE contamination. Thank you for your prompt cooperation and assistance in this matter.

Very truly yours,



Diana Pfeffer Martin

Enclosures

cc: Mr. Steven Linder, EPA, Region IX (Via U.S. Mail)  
Mr. David Bacharowski, Los Angeles Regional Board (Via U.S. Mail)  
Barry Groverman, Esq. (special counsel for the City of Santa Monica) (Via U.S. Mail)  
Donald M. Clary, Esq. (legal counsel for KFH) (Via U.S. Mail)  
Leslie C. Randall, Esq. (Via U.S. Mail)  
Colleen P. Doyle, Esq.

## ATTACHMENT I



**United States Environmental  
Protection Agency**  
75 Hawthorne Street  
San Francisco, CA 94105

**Los Angeles Regional Water  
Quality Control Board**  
101 Centre Plaza Drive  
Monterey Park, CA 91754-2156



Pete Wilson  
Governor

July 20, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED  
CLAIM NO. Z 039 960 981

Ms. Linda Thompson  
Conoco Inc.  
600 N. Dairy Ashford  
Ponca Building  
Houston, TX 77079



Cal/EPA

RE:

Site No. 6, FORMER CONOCO#05625/KAYE/TEXACO SERVICE STATION 11198  
WASHINGTON PLACE @ SEPULVEDA, CULVER CITY, CA

**METHYL TERTIARY BUTYL ETHER INVESTIGATION  
CHARNOCK SUB-BASIN CONTAMINATION - REGIONAL RESPONSE EFFORT  
PROPOSED CONSENT DECREE AND SCOPE OF WORK**

Dear Ms. Thompson:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) and the United States Environmental Protection Agency (USEPA) (collectively "the Agencies") are directing this letter to parties who have been found to have responsibility for source sites which have discharged MTBE affecting the Charnock Sub-Basin, and to parties with responsibility for potential sources who have not yet completed their required investigations. This letter, and the enclosed Consent Decree and Scope of Work, supplement the information previously provided to you in the Agencies' letter dated July 9, 1998. As described in that letter, recipients and their representative(s) have been invited to attend a meeting at 1:00 p.m. on Thursday, July 30, 1998 (Radisson Hotel, 6161 Centinela, Culver City, CA) to discuss their obligations with respect to the Regional Response Effort required to address the MTBE and gasoline constituent contamination affecting the Charnock Sub-Basin. (See attached list of recipients and sites for which they have responsibility, including updated and corrected telephone and facsimile numbers.)

**Settlement Confidential Nature of the July 30th Meeting**

The Agencies wish to alert recipients of this letter that the meeting to be held July 30th, 1998 is a settlement confidential meeting. Statements made during the meeting will be privileged and may not be introduced as evidence in any subsequent legal proceedings. The Agencies hope that the confidential nature of the meeting will encourage all parties to raise their concerns and questions in the meeting, and will result in a more efficient and productive exchange.

**Timing of Negotiations Following the July 30th Meeting**

The Agencies are requesting that all recipients of this letter respond to the Agencies as one group and jointly indicate in writing, by August 27, 1998, that they are willing to negotiate in good faith to achieve a settlement in the form of a Consent Decree. An offer to negotiate in good faith will require all of the parties

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who intend to participate in the negotiations to jointly designate legal and technical representatives who will negotiate with the Agencies on behalf of the group of recipients pursuing settlement. The parties who intend to participate must also develop an allocation agreement among themselves. The Agencies suggest that the allocation process be facilitated by hiring an appropriate neutral arbitrator to develop both interim and long-term allocations.

If by August 27, 1998, a group has formed which is willing to work together to jointly negotiate a Consent Decree with the Agencies, and has identified legal and technical representatives authorized to negotiate on behalf of the group, then the Agencies will give the group until September 17, 1998 to produce a redline version of the Consent Decree and Scope of Work which represents the group's proposal for settlement. If the group provides a redline proposal of the Consent Decree and Scope of Work by September 17, 1998, then the Agencies will work with the group to achieve a final settlement no later than November 19, 1998.

The Agencies are proposing this ambitious schedule for settlement negotiations because of the urgent nature of the environmental problem for which the recipients of this letter have responsibility. Unlike many contaminated sites where there is a **potential** threat to drinking water, persons who previously relied on the Charnock Sub-Basin for their drinking water have already lost a crucial source of potable water. The loss of this water for domestic purposes is the result of MTBE contamination contributed by the source sites for which you have responsibility. While replacement water is currently being purchased from the Metropolitan Water District (MWD), the cost and limited availability of MWD water, as well as the need to restore a vital natural resource, demand a prompt response from the Agencies and the responsible parties.

#### **Consequences of a Failure of Negotiations**

In the event that any parties fail to participate in group negotiations or to adhere to the required deadlines, those parties will be subject to immediate enforcement, including administrative orders, judicial actions, requirements to provide water replacement, cost recovery and, if necessary, penalty actions for any failure to comply with administrative orders. The Agencies are committed to insuring that cooperative parties bear no more than their just share of the required response actions, and that no uncooperative parties profit by their recalcitrance.

As noted in the Agencies' July 9, 1998 letter, while the costs of participation in a negotiated settlement of this matter may appear to be high, the costs of a failure to achieve a negotiated settlement will unavoidably be much higher. As we have learned from other environmental litigation concerning multiparty sites, a failure to work together in an orderly, cooperative and judicious manner will likely lead to years of expensive litigation, without in any way reducing the costs necessary to restore the Charnock Sub-Basin to its beneficial use. We urge the parties to keep these considerations in mind and to work closely with the Agencies and each other to avoid such an unproductive waste of public and private resources.

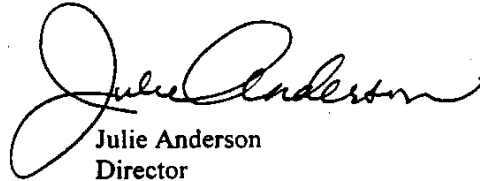
We are hopeful that you will decide to undertake the challenging work necessary to negotiate a fair and appropriate settlement of your obligation to address this environmental problem. Please carefully review the enclosed documents and come to the meeting with your questions and concerns. When the July 30, 1998 meeting with the Agencies concludes, the Agencies encourage recipients of this letter to use additional time to meet with the other recipients in the meeting room and to discuss a schedule for organizing and coordinating your responses. The Agencies will make the meeting room available until 6:00 p.m.

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Please feel free to contact David Bacharowski (Regional Board Project Manager) at (213) 266-7546 or Steven Linder (EPA Project Manager) at (415) 744-2036. For legal issues, please contact Jorge Leon (attorney for the Regional Board) at (916) 657-2428 or Laurie Williams (attorney for EPA) at (415) 744-1387. We request that your legal representatives contact the Agencies' attorney contacts only. We look forward to working with you.



Dennis Dickerson  
Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region



Julie Anderson  
Director  
Waste Management Division  
U.S. EPA Region 9

cc (w/enclosure):

David Bacharowski, Regional Water Quality Control Board  
Jorge Leon, State Water Resources Control Board  
Laurie Williams, EPA  
Steven Linder, EPA  
Gary Yamamoto, P.E., California Dept. of Health Services  
Heather Collins, P.E., California Dept. of Health Services  
Norman Knoll, California Dept. of Health Services  
Joe Lawrence, City of Santa Monica  
Rey Rodriguez, City of Santa Monica  
Robert Harvey, City of Santa Monica  
Brian Johnson, City of Santa Monica  
Denise Kruger, Southern California Water Company  
Robert Saperstein, Hatch and Parent  
Nancy Spencer, US DOJ  
Marilyn Levin, California Attorney General's Office  
Keith Pritsker, Los Angeles City Attorney's Office  
Carl Sjoborg, LA County Dept. of Public Works  
Mike Schwennesen, Ecology & Environment  
Toby Moore, Mission Geoscience, Inc.  
Barry Groveman, Proskauer  
Anthony Brown, Komex H2O Science  
Angelo Bellomo, Environmental Strategies  
Robert Gorham, State Fire Marshal's Office  
Walter Crone, Ninyo and Moore  
Capt. Dennis Wilcox, Los Angeles City Fire Dept.  
David Cranston, Greenber, Glusker  
Kim Burns, Conoco

## ATTACHMENT J



**United States Environmental  
Protection Agency**  
75 Hawthorne Street  
San Francisco, CA 94105

**Los Angeles Regional Water  
Quality Control Board**  
101 Centre Plaza Drive  
Monterey Park, CA 91754-2156



July 30, 1998

Ms. Kim Burns  
Conoco Incorporated  
P. O. Box 2197  
Houston, Texas 77210-4784

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. P 361 203 075

**METHYL TERTIARY BUTYL ETHER POLLUTION INVESTIGATION OF THE CHARNOCK SUB-BASIN (FILE NUMBER 96-042, PRP SITE NO. 6). SITE INVESTIGATION REPORT FOR FORMER CONOCO SERVICE STATION, 11198 WASHINGTON PLACE, CULVER CITY (ID# I-14314)**

Dear Ms. Burns:

The Los Angeles Regional Water Quality Control Board (Regional Board) and the United States Environmental Protection Agency (EPA) (collectively "the agencies") have reviewed the Site Investigation Report dated February 13, 1998, prepared by Conoco's consultant, SECOR International Inc., for the above-referenced site (site) in connection with the ongoing investigation of methyl tertiary butyl ether (MTBE) pollution impacting the Charnock Sub-Basin. In addition, we have reviewed comments regarding this report submitted on behalf of the City of Santa Monica and Southern California Water Company, and where appropriate have included these comments.

The agencies' response is divided into the following parts: (a) the agencies' review of the final subsurface investigation report, (b) deficiencies in the final report required to be addressed by Unocal, (c) the agencies determinations, and (d) required additional work.

**a) Subsurface Investigation Results**

Hydrocarbon contamination was present during the removal of three underground storage tanks and associated fuel lines at the site in July 1992. In September 1992, four groundwater monitoring wells and five vapor extraction wells were installed. In July 1994, three additional groundwater monitoring wells, two vapor extraction wells, and one soil boring were installed as part of the assessment. The recent work completed in April 1998 and detailed in the subsurface investigation report includes the completion of three soil borings and installation of three groundwater monitoring wells (MW-8, MW-9 and MW-10). Groundwater was encountered at approximately 68 feet below ground surface (bgs) and the direction of groundwater flow was to the southeast. During the site investigation, TPH<sub>G</sub> was detected at a maximum concentration of 6,400 mg/kg in a soil sample from B15 at 40 feet bgs. Benzene was detected at a maximum concentration of 41 mg/kg in a soil sample from B15 at 35 feet bgs. MTBE was detected in four soil samples taken from boring B13/MW8 at 30 to 55 feet bgs and ranged from 5.2 ug/kg to 15 ug/kg. TPH<sub>G</sub> was detected in groundwater samples at a concentration of 170 µg/L and benzene at 32 µg/L. MTBE was not detected in any groundwater samples.

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**b) Report Review Comments and Deficiencies**

Conoco is required to provide the following additional information:

1. Please clarify whether groundwater monitoring wells MW-8, MW-9 and MW-10 have been screened across a potential aquitard (the 70-foot clay layer). If so, such wells should be abandoned and replaced with two nested wells with discrete well screens above and below the 70-foot clay layer.
2. The seven existing groundwater monitoring wells were not sampled due to the groundwater level rising above the screen levels. Only three newly installed wells were sampled. Groundwater from all wells must be sampled and analyzed in the future.
3. Please clarify why the analytical holding time for nitrate, phosphate and sulfate were exceeded.
4. Please explain in the report text why the gamma-ray curves for MW-5 and MW-6 fall below the 50 API unit and appeared incomplete.
5. Please clarify whether or not the geophysical logs were used in constructing the correlations presented on the cross-sections in Figure 5 and Figure 6.
6. Four additional soil samples were analyzed at a Method Detection Limit (MDL) exceeding the required MDL of 0.005 mg/kg for MTBE due to dilution up to 10,000 times. These soil samples are from B-14-35', B-14-40', B-15-35' and B-15-40'.
7. Page 11, Section 3.8, Field QA/QC and Table 6: There is no discussion of the field QA/QC results presented in Table 6. Soil samples collected on January 13, 1998 from a shelly tube, a split spoon sample, and a trip blank have reported concentrations of MTBE and BTEX.
8. On Table 2 and Table 3, chronological listing of soil and groundwater analytical results, please provide MDLs, Estimated Quantitation Limits (EQLs) and field QA/QC sample results.
9. All analytical results must be reported on agencies' Lab-Form 10A.

Conoco is required to submit a report addendum containing this additional information by **August 31, 1998**.

**c) Agencies' Determinations**

Based on the soil analytical data that indicated the presence of MTBE in soil samples during the site investigation completed in April 1998, the agencies have determined that this site has discharged gasoline containing MTBE to the soil. Due to this discharge, the agencies have determined that this site has contributed MTBE affecting the Charnock Sub-Basin. As a result, Conoco is required to

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participate in the Charnock Sub-Basin Regional MTBE Investigation and Remediation.

The agencies have forwarded all parties with responsibility for sites that have contributed MTBE affecting the Charnock Sub-Basin copies of a draft Consent Decree and Scope of Work for the Regional Response Effort. The agencies have notified Unocal of a meeting to be held at the Radisson Hotel, Culver City, on July 30, 1998, to discuss the terms of the proposed settlement with all parties.

Conoco is not required to complete additional hydrogeologic investigation onsite at this time. However, Conoco is required to implement a quarterly groundwater monitoring and reporting program. Future work conducted by Conoco's consultant must fully comply with the agencies' June 19, 1997, letter and its subsequent addenda.

**d) Groundwater Monitoring Program**

Conoco is required to implement a groundwater monitoring program for four quarters over a period of one year. Prior to collecting groundwater samples, free product thickness must be determined, if present, and the depth to groundwater must be measured in all wells to be sampled. The wells are then to be properly purged until the temperature, conductivity, and pH stabilize, and the water is free (i.e., 5 NTUs) of suspended and settleable matter, before samples are collected for analysis. Turbidity, temperature, conductivity, and pH measurements must be recorded and presented in Conoco's monitoring reports.

Groundwater samples are to be collected from all groundwater monitoring wells. The groundwater samples and field QA/QC samples (daily equipment and trip blanks) must be analyzed by EPA Method 8015 for TPH<sub>G</sub> and by EPA Method 8020 or 8240B/8260A for BTEX and MTBE. If MTBE is detected, it must be quantified using EPA Method 8240B/8260A. All analyses must be performed and reported by a California certified laboratory. Lab QA/QC reports must be submitted in accordance with our Laboratory Requirements for Soil and Water Sample analyses, Charnock Sub-Basin Investigation Area (Appendix C-3, MTBE Pollution Investigation of the Charnock Subbasin, June 19, 1997). All analytical results must be reported in formats conformed to RWQCB LabForm 10A.

The quarterly groundwater monitoring reports must be submitted by the fifteenth day following the end of the quarter as shown in the following schedule:

| <u>Reporting Period</u> | <u>Report Due Date</u> |
|-------------------------|------------------------|
| January-March           | April 15th             |
| April-June              | July 15th              |
| July-September          | October 15th           |
| October-December        | January 15th           |

The quarterly groundwater monitoring report must include the analytical results of groundwater samples; isoconcentration maps for TPH<sub>G</sub>, BTEX, and MTBE based upon groundwater test results;

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groundwater contour maps depicting the hydraulic gradient and direction of groundwater flow across the site; and the current groundwater elevation data.

Conoco must notify representatives from the agencies, City of Santa Monica, and the Southern California Water Company at least five days prior to initiating field work for groundwater monitoring activities per the instructions in the agencies' June 19, 1997, letter. Your groundwater monitoring report (for April-June) and the report addendum are due by **October 15, 1998**.

#### Soil Vapor Extraction System


We have received the letter dated April 17, 1998, prepared by Conoco's consultant Secor, requesting the agencies' consent to remove the existing soil vapor extraction (SVE) system from the site. We are unable to approve Conoco's request until additional information is submitted for review. The information should include 1) past performance of the SVE system including the amount of hydrocarbon removed and graphs to show that the influent hydrocarbon vapor concentrations have reached an asymptotic level; 2) the lateral and vertical extent and hydrocarbon concentrations of contaminated soil remaining in the vadose zone at the site; and 3) confirmation soil sample results. Please submit the additional information by **August 31, 1998**, for the agencies' review.

#### Agencies' Authorities

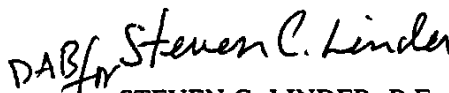
Pursuant to the California Porter-Cologne Water Quality Control Act, Section 13267; the Safe Drinking Water Act, Section 1431, 42 U.S.C. 300i; and the Resource Conservation and Recovery Act, Section 7003, 42 U.S.C. Section 6973, Conoco is required to revise its final report, to participate in the Regional Response Effort, and to implement a groundwater monitoring and reporting program for four quarters over a period of one year.

If you have any questions or need clarifications on any of the items listed above, please contact Mr. David Bacharowski at (213) 266-7546, Mr. Rick Vergets at (213) 266-7556, or Mr. Steven Linder at (415) 744-2036. Please contact Mr. Jorge Leon at (916) 657-2428 or Ms. Laurie Williams at (415) 744-1387 with respect to any legal questions. We look forward to working with you.

Sincerely,



DAVID A. BACHROWSKI  
Environmental Program Manager  
Underground Tank Section



STEVEN C. LINDER, P.E.  
Project Manager  
Waste Management Division  
U.S. EPA Region 9

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cc: Jorge Leon, Office of Chief Counsel, SWRCB  
David Spath, Division of Drinking Water and Environmental Management, State  
Department of Health Services  
Gary Yamamoto, Drinking Water Field Operations, State Dept. of Health Services  
Steve Linder, United States Environmental Protection Agency  
✓ Laurie Williams, United States Environmental Protection Agency  
Carl Sjoberg, Environmental Programs Division, Los Angeles County Department of  
Public Works  
Keith Pritsker, City Attorney's Office, City of Los Angeles  
Walter Crone, Ninyo & Moore  
Michael Schwennesen, Ecology and Environment, Inc.  
John Bower, Secor International Inc.  
Craig Perkins, Environmental & Public Works, City of Santa Monica  
Joseph Lawrence, Assistant City Attorney, City of Santa Monica  
Rey Rodriguez, Utilities Engineer, City of Santa Monica  
Brian Johnson, Underground Storage Tank Program, City of Santa Monica  
Barry Groveman, Special Environmental Counsel for City of Santa Monica  
Denise Kruger, Southern California Water Company  
Rob Saperstein, Counsel for Southern California Water Company  
Toby Moore, Mission Geoscience  
Thomas Watson, Environmental Strategies Corporation  
Gino Bianchi-Mosquera, Geomatrix Consultants, Incorporated  
Steve Ghio, Chevron Products Company  
Joel Kloth, Geocon Environmental Consultants Company  
James Farrow, Komex H2O

## ATTACHMENT K

Derrick A. Hobson  
Counsel  
Legal Department  
Environmental

Conoco Inc.  
600 N. Dairy Ashford (77079) ML2050  
P.O. Box 4783  
Houston, Texas 77210  
(281) 293-5547  
Fax: (281) 293-4255  
derrick.a.hobson@usa.conoco.com

September 4, 1998

Laurie Williams (ORC-3)  
Assistant Regional Counsel  
Office of Regional Counsel  
United States Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, California 94105

Re: "Site No. 6, Former Conoco #05625/Kaye/Texaco Service Station  
1198 Washington Place @ Sepulveda, Culver City, California"

Dear Ms. Williams:

I'm sorry I was not present to receive your phone call. As you know, from 1979 forward, Conoco was neither the owner nor operator of the gas station in question. Conoco clearly was not involved in station operations during the period when MTBE was introduced and used in California. Conoco is merely in the title chain as a sublessor. Conoco has no knowledge of any MTBE ever being used at the site since Conoco did not own or control the station past 1978. You should note that during that period, post 1978, the station was a Texaco branded facility. Obviously, Texaco, a competitor of Conoco, did not share with Conoco specific product specifications. I hope that Conoco's voluntary proactive work at this site will not result in its becoming unjustly entangled in liability issues associated with products that it did not market and business operations over which it had no control. As you know, Conoco is no longer in the California gasoline retail market.

Conoco is presently retaining outside counsel to advise us in this matter. Please direct future communications to said outside counsel. I shall have outside counsel contact you once we have retained them.

Sincerely,

*Derrick A. Hobson*  
Derrick A. Hobson  
Counsel

vcfl